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Lead Counsel for the Class

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RICHARD GREGORY, On Behalf of Himself )  
and All Others Similarly Situated, )

Plaintiff, )

vs. )

CHIRON CORPORATION, HOWARD H. )  
PIEN, JOHN A. LAMBERT and DAVID V. )  
SMITH, )

Defendants. )

Case No. C-04-4293-VRW

CLASS ACTION

JOINT STIPULATION AND [PROPOSED]  
ORDER EXTENDING THE PAGE LIMIT  
FOR PLAINTIFF'S MEMO OF POINTS  
AND AUTHORITIES IN SUPPORT OF  
FINAL APPROVAL OF SETTLEMENT,  
PLAN OF ALLOCATION AND AWARD OF  
ATTORNEYS' FEES AND EXPENSES AND  
IN REPLY TO COMMENTS AND  
OBJECTIONS FROM CLASS MEMBERS

DATE: December 3, 2008  
TIME: 10:00 a.m.  
CTRM: 6, 17th Floor  
JUDGE: Hon. Vaughn R. Walker

JOINT STIPULATION AND [PROPOSED] ORDER EXTENDING THE PAGE LIMIT FOR PLAINTIFF'S MEMO OF POINTS  
AND AUTHORITIES IN SUPPORT OF FINAL APPROVAL OF SETTLEMENT, PLAN OF ALLOCATION AND AWARD OF  
ATTORNEYS' FEES AND EXPENSES AND IN REPLY TO COMMENTS AND OBJECTIONS FROM CLASS MEMBERS –

**STIPULATION**

The Court has scheduled a hearing on December 3, 2008 to, among other things:

(a) determine whether the terms and conditions of the Stipulation and Agreement of Settlement dated as of March 29, 2007 (the “Stipulation”) are fair, reasonable, and adequate for the settlement of all claims asserted by the Class against the Defendants in the Consolidated Amended Complaint For Violations of the Federal Securities Laws, dated April 14, 2005 (the “Complaint”) now pending in this Court under the above caption (including the release of the Released Parties) and are in the best interests of the Class and should be approved; and whether judgment should be entered dismissing the Complaint on the merits and with prejudice in favor of the Defendants and as against all persons or entities who are members of the Class herein who have not requested exclusion therefrom;

(b) determine whether the Plan of Allocation proposed by Lead Plaintiff, the International Union of Operating Engineers Local No. 825 Pension Fund, should be approved as a fair and reasonable method for allocating the common fund recovery among Class Members;

(c) determine whether and in what amount to award Plaintiff’s Counsel fees and reimbursement of expenses; and

(d) consider all matters submitted to it at the hearing and otherwise.

Lead Plaintiff will file papers in support of the Final Approval of Settlement, Plan of Allocation and Award of Attorneys’ Fees and Expenses and in Reply to Comments and Objections from Class Members.

It is more efficient briefing for Lead Plaintiff to only describe the case and matters relevant to the motions for orders approving the Settlement, the Plan of Allocation, and awarding attorneys’ fees and expenses a single time.

It is more efficient for Lead Plaintiff to combine its papers in support of final approval of the Settlement, the Plan of Allocation, and the request for attorneys’ fees and expenses into one combined brief.

Lead Plaintiff requests permission to file a single brief to cover the motions for orders approving the Settlement, the Plan of Allocation, and awarding attorneys' fees and expenses, not to exceed fifty (50) pages, to which Defendants have consented.

IT IS THEREFORE ORDERED, UPON AGREEMENT AND STIPULATION OF THE PARTIES, THAT:

1. Plaintiff's Memo of Points and Authorities in Support of Final Approval of Settlement, Plan of Allocation and Award of Attorneys' Fees and Expenses and in Reply to Comments and Objections from Class Members shall be no longer than fifty (50) pages; and

2. The parties do not anticipate opposition or reply briefs on either motion, but if any, they may be combined in a single brief, not to exceed the local rule page limits for two briefs.

IT IS SO STIPULATED.

DATED: October 27, 2008

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*/s/ Jeff S. Westerman*  
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Lead Counsel for Plaintiffs

DATED: October 27, 2008

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Counsel for Defendants

DATED: October 27, 2008

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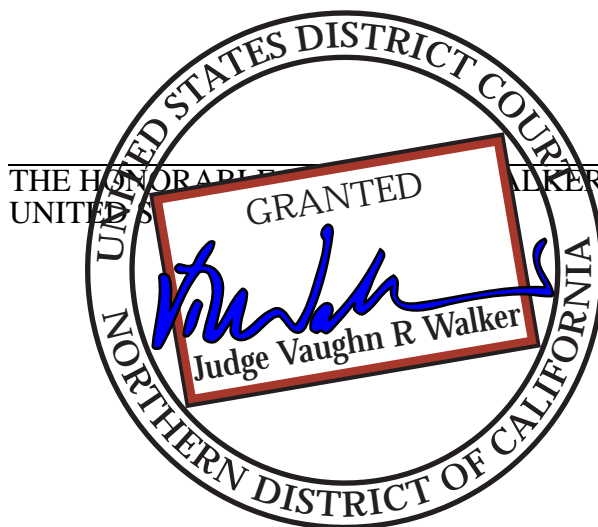
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**ORDER**

Having read and considered the parties' Joint Stipulation and [Proposed] Order Extending the Page Limit for Plaintiff's Memo of Points and Authorities in Support of Final Approval of Settlement, Plan of Allocation and Award of Attorney's Fees and Expenses and in Reply to Comments and Objections from Class Members, Lead Plaintiff may file a single combined brief covering the above four matters not to exceed fifty (50) pages.

IT IS SO ORDERED.

DATED: 10/29/2008, 2008



**SIGNATURE ATTESTATION**

I hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/s/) within this e-filed document.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

/s/ Jeff. S. Westerman  
JEFF S. WESTERMAN

DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, employed in the County of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is One California Plaza, 300 South Grand Avenue, Suite 3900, Los Angeles, California 90071-3149.

2. That on October 27, 2008, declarant served the JOINT STIPULATION AND [PROPOSED] ORDER EXTENDING THE PAGE LIMIT FOR PLAINTIFF'S MEMO OF POINTS AND AUTHORITIES IN SUPPORT OF FINAL APPROVAL OF SETTLEMENT, PLAN OF ALLOCATION AND AWARD OF ATTORNEYS' FEES AND EXPENSES AND IN REPLY TO COMMENTS AND OBJECTIONS FROM CLASS MEMBERS by depositing a true copy thereof in a United States mailbox at Los Angeles, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

4. That on the above date, declarant served via e-mail to: scac@law.stanford.edu.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 27th day of October, 2008, at Los Angeles, California.



ANN MARIE GENOVESE

**CHIRON CORPORATION**  
**SERVICE LIST**

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